



Staff Report

Date: January 19, 2023
To: D. Fish, Chief Administrative Officer
From: C. Wentland, Planning/Economic Development Officer
Subject: Land Referral 163159516-007 – Lax Kw'alaams Business Development LP – Standard Lease for Industrial Use

THAT the Staff Report entitled “Land Referral 163159516-007 – Lax Kw'alaams Business Development LP – Standard Lease for Industrial Use” be received for information,

AND THAT the Board of the North Coast Regional District provide a referral response.

PURPOSE:

To present to and seek a referral response from the Board of the North Coast Regional District (NCRD) on Referral No. 163159516-007 (Referral) – a referral in regards to the construction, maintenance and operation of fish traps at one of two proposed locations on the Skeena River, in addition to a site for the installation and maintenance of a dock for operations.

DISCUSSION:

Lax Kw'alaams Business Development LP has submitted a proposal to construct a modified fish trap at one of two locations on the lower Skeena (Granulite Point or Orde Point, with final determination to occur at the end of the consultation phase) in addition to a dock for boat mooring use during operations to be installed in the Orde Slough. The requested term is for 30 years.

Intended Use

The purpose of the project is to evaluate the effectiveness of the fish trap for in-season ecological monitoring and stock selective harvest. The trap will involve installation of up to 51 steel pilings and installation of netting attached to the pilings that will extend into the water column; work which will fall outside of the preferred work window for riparian areas. As such, environmental assessment and monitoring will be ongoing. NCRD staff have requested and received the Construction Environmental Monitoring Plan from FrontCounterBC. Staff note that the NCRD is not included in the emergency response planning, with all emergency response management to be handled by provincial or federal authorities, and/or emergency responders. The Board may wish to include conditions for the Applicant to notify the NCRD of emergency events. The proposal has been included as Attachment A, with dock design specifications and site plans for Granulite and Orde Points included as Attachments C; D and E, respectively.

Location

The Applicant has had feasibility studies conducted on Granulite Point and Orde Point for the installation of the modified fish trap. At this time, there is indication that Granulite is the preferred option, but the final determination will occur after further assessment and consultation have been completed. Inclusive of the dock in the Orde Slough, the Area of Interest lies along the border of Electoral Areas A and C (predominantly in Area A, with potential overlap with Area C). A general location map has been included as Attachment B. This area lies outside of the planned area boundaries of Bylaw 608 and will not be subject to further permitting requirements under NCRD bylaws. Staff note that this project will include multiple organizations, including other neighbouring First Nations, the Ministry of Lands, Water and Resources Stewardship, and the Department of Fisheries in order to receive the required permitting under legislation; and that the NCRD may be called upon for further consultation as the project continues. A General Location map has been included as Attachment B.

Staff have determined that all surrounding properties are vacant of known structures, but note that impacts from the project are more likely to be felt by residents downstream, such as those living along the Skeena River, or those residing on nearby islands such as Smith, Kennedy or Porcher should those events be significant.

STRATEGIC PRIORITIES

Housing	Board Governance	Shared Services
Economy	North Coast Community	

This referral is not directly related to the objectives and actions listed in the NCRD's 2023-2026 Strategic Plan.

Attachments

- Attachment A: 163159516-007 - Proposal
- Attachment B: 163159516-007 – Location Map
- Attachment C: 163159516-007 – Dock Design
- Attachment D: 163159516-007 – Site Plan Granulite Point
- Attachment E: 163159516-007 – Site Plan Orde Point

RECOMMENDATION:

Staff are recommending that the Board provide a response of No Objection, subject to the condition that the NCRD be expressly listed as an agency to which the Operator will report risk assessments, emergency plans, emergency events (as they occur) and emergency response (after they occur). The Board may decide to submit a response from the following options:

- Approval of application is supported;
- No objection to approval of the project subject to conditions outlined by the Board;
- Recommend refusal of the project due to reasons outlined by the Board;
- No response.